
Minutes
Regular Meeting
June 8, 2016

Present: Mayor Kenneth Neilson, Council Members Troy Belliston, Kolene Granger, Garth Nisson, Jeff Turek, City Attorney Jeff Starkey, Deputy Recorder Tara Pentz, City Recorder Danice Bulloch, Public Works Director Mike Shaw, Community Development Director Drew Ellerman, Police Chief Jim Keith, IS Support Kelly Carlson, Audience: Jared Lindquist, Teresa Lindquist, Bill Hudson, Kelly Buchanan, Jim Raines, Bill Hudson, Glenn Bingham

Excused: Council Member Thad Seegmiller

Meeting commenced at 6:00 P.M.

Invocation: Council Member Turek

Pledge of Allegiance: Council Member Granger

1. APPROVAL OF THE AGENDA

*Council Member Turek made a motion to approve the agenda with the removal of Item 10.
Council Member Granger seconded the motion; which passed with the following roll call vote:*

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

2. ANNOUNCEMENTS

A. Introduction and congratulations to the Pine View High School Baseball Team on their 3A State Championship for 2016. Mayor Kenneth Neilson

Mayor Kenneth Neilson congratulated Pine View High School Baseball Team on their 3A State Championship for 2016.

Coach Troy Wall introduced the players who were able to attend tonight.

Mayor Neilson presented the team with a Key to the City plaque.

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONSENT AGENDA

APPROVAL OF MINUTES: Consideration to approve the minutes from the City Council Meetings of 5/10/16, 5/11/16, 5/18/16, 5/24/16, 5/25/16 and 5/27/16.

BOARD AUDIT REPORT: Consideration to approve the Board Audit Report for May 2016

Council Member Belliston made a motion to approve the consent agenda. Council Member Nisson seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

5. FINAL PLAT

**A. Consideration to approve the Final Plat for the Turner Family Subdivision, Phase 5, located on the northeast corner of Bluegrass Street and Bulloch Street.
Applicant: Marianne Turner**

Community Development Director Ellerman reviewed:

The applicant is requesting approval of a final plat for the Turner Family Subdivision, Phase 5, located at the northeast corner of Bulloch Street and Bluegrass Street. This particular subdivision is proposing 1 lot on an area covering 0.676 acres. The specific location of this subdivision is zoned Single-Family Residential - 8,000 Sq. Ft. Min. (R-1-8).

The Planning Commission unanimously recommended approval of the Final plat for the Turner Family Subdivision, Phase 5 to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to

recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.

4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".

5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Council Member Belliston clarified Bluegrass Street was completely developed.

Community Development Director Ellerman stated Bluegrass Street is a completed and dedicated road.

Council Member Belliston asked if there is an estimated time of completion for the construction of Bulloch Street to the east.

Community Development Director Ellerman stated they do not have plans to install the road at this time. It is Master Planned, however, and will be constructed in the future.

Council Member Granger made a motion to approve the Final Plat for the Turner Family Subdivision, Phase 5, located on the northeast corner of Bluegrass Street and Bulloch Street with the findings and conditions of Staff and as recommended by the Planning Commission Council Member Turek seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

6. PRELIMINARY PLATS

A. Consideration to approve the Preliminary Plat for Bedford Subdivision, located at approximately 3800 S. Washington Fields Road. Applicant: Dan Hoopes

Community Development Director Drew Ellerman reviewed;

The applicant is requesting approval of a Preliminary plat for the Bedford subdivision, located at approximately 3800 South Washington Fields Road. The applicant is proposing 3 lots on an area of coverage of 16.55 acres. The zoning designation(s) at this particular location is Multiple-Family Residential (R-3)(with a Recreation Rental - Short Term Overlay zone) and Community Commercial (C-1).

The proposed subdivision conforms to the approved zoning. The request meets the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

The Planning Commission unanimously recommended approval of the Preliminary plat for

the Bedford Subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

Conditions

1. A preliminary and final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Council Member Belliston asked if the separate lots are a way to phase this development.

Community Development Director Ellerman explained one parcel will be commercial, and the developer anticipates selling the third lot. This property has a vacation rental overlay, which has a minimum of 5 acres, which is the minimum size of the lot, which will most likely be sold.

Council Member Turek asked if there was a need for a stub road to the Steeplechase Subdivision.

Community Development Director Ellerman stated the homes in Steeplechase backup to this development, so there is not a need for a stubb road. However, the individual parcels shown on this preliminary plat, once developed will have internal roads.

Council Member Turek made a motion to approve the Preliminary Plat for Bedford Subdivision, located at approximately 3800 S. Washington Fields Road with the findings and conditions of Staff and as recommended by the Planning Commission. Council Belliston seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

B. Consideration to approve the Preliminary Plat for The Estates at Green Spring, located at approximately 1300 West 1700 North. Applicant: Brennan Holdings LLC #100

Community Development Director Drew Ellerman Reviewed:

The applicant is requesting approval of a Preliminary plat for The Estates at Green Spring subdivision, located at approximately 1300 West 1700 North. The applicant is proposing 31 lots on an area of coverage of 26.39 acres. The zoning designation at this particular location is Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15). The surrounding zoning is R-1-8, R-1-10 and R-1-12 to the north and east, Open Spacer to the west, and PUD (Northbridge Estates) to the south.

This is the second request for preliminary plat approval, the first request was approved by the city back in March of 2014. That approved plat expired due to lack of application for final plat. The applicant is ready to continue to move forward with this development again at this time.

The proposed subdivision conforms to the approved zoning. The request meets the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

The Planning Commission unanimously recommended approval of the Preliminary plat for The Estates at Green Spring subdivision to the City Council, based on the following findings and subject to the following conditions.

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

Conditions

1. A preliminary and final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
3. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
4. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
5. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
6. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
7. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
8. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
9. Driveway locations are to be approved by the Public Works Department.
10. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
11. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Council Member Granger stated the applicant mentioned they were no longer going to do the townhomes in this area.

Community Development Director Ellerman stated the preliminary plat for that particular area has expired. The applicant plans to come back with a new preliminary plat at a later date, and they have indicated the plat would contain lots rather than the townhomes.

Council Member Turek stated he is concerned about the width of the roads. If there is on street parking, there would be a concern if a fire truck were to need to get through. However, if Staff has reviewed the plat, and are comfortable with the widths, then he will rely on their recommendation.

City Attorney Starkey asked if the development agreement has been reviewed.

Community Development Director Ellerman explained the development agreement pertains to the R-1-8, R-1-10 & R-1-12 zones.

Council Member Granger asked how much additional traffic will be placed on Concord Parkway.

Jim Raines stated when the original proposal was submitted there was a full traffic impact study completed. He does not have the total number of cars. However, none of the road exceeded the Level B. Level C is where the roads start to become heavily traveled.

Council Member Belliston made a motion to approve the Preliminary Plat for The Estates at Green Spring, located at approximately 1300 West 1700 North with the findings and conditions of Staff and as recommended by the Planning Commission. Council Turek seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

7. AMENDED DRIVE APPROACH

A. Consideration to grant a request for a variance to increase the width of an existing drive approach which is not allowed by the Access Management Plan and is inconsistent with the approval for Country Way Estates, property is located at 889 S. Country Way, Country Way Estates Lot 10. Applicant: Jared and Teresa Lindquist

Council Member Belliston stated he and Council Member Granger visited the site last night. He does have a couple of concerns. He would like to know when the curbing was installed.

Jared Lindquist stated he cut out the curbing before he received the notice he could not have his drive approach.

Council Member Belliston stated the new poured curbing did not get poured correctly. It was poured too low, and water will come up onto his property. It does not match in with the grade of the existing curb.

Public Works Director Mike Shaw stated he has not looked at the change. However, if the gutter pan itself is lower, then there would be an issue.

Council Member Turek asked if this would need to be corrected as part of the project.

Public Works Director Shaw stated if the maximum drive approach is allowed, then the curbing would need to be repaired or replaced regardless.

Council Member Belliston stated he was able to determine with a 32 foot curb cut, there would be adequate room to back out of the garage and pull forward. In addition, the curb cut would

need to be brought back up, and realigned and fixed to match the original grade.

Mr. Lindquist stated he understands, but if this is to become a busy road, it would be nice to have the extra room.

Council Member Belliston stated he understands what is being requested. However, it is not that he has an issue doing a 32 foot curb cut. It is the fact a 32 foot cut is what is the maximum allowed.

Mr. Lindquist asked if they could line up on the left side and leave what is already there.

Council Member Belliston stated the section that is there needs to be realigned and repaired. However, if only 32 feet is granted, the homeowner can determine where the 32 feet starts and end. There is plenty of room down the side of the property where the truck can be parked. Many people have long bed trucks, and special exceptions are not given to them.

Council Member Turek stated he does not feel comfortable going against our City standards. We are already making an exception allowing the drive approach.

Council Member Belliston made a motion to grant a 32 foot cut maximum on the property. As a condition of this, the piece of concrete where the existing driveway is located must be brought back up to standard and match the grade and is not an addition portion of drive approach, but the maximum drive is 32 feet. Council Member Granger seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

8. ORDINANCE

A. Consideration to approve an ordinance adopting Zone Change application Z-16-07, from Service Commercial (C-2) to Multi-Family Residential (R-3) Zone, the property is located in the area of Tortoise Rock Drive and Buena Vista Boulevard. Applicant: John Graham

Council Member Granger stated she feels the request is not to the benefit of the community to remove another piece of commercial property in Washington City. She does understand it is the property owners right to ask for the change. However, this will be a prime commercial location in the future.

Council Member Turek stated the property owner stated he was concerned about the service commercial zoning, which limits him for what he can put in, and he feels multi-family would be more conducive to the area.

Council Member Granger asked if there are any walls proposed, to provide protection for the

single family residential.

Community Development Director Ellerman stated as part of the Conditional Use Permit, it is not unlikely a wall would be proposed as part of the request.

Council Member Granger commented a PUD would be more attractive.

Community Development Director Ellerman stated a PUD is much more financially involved.

Council Member Granger asked what the adjacent residential property is zoned.

Community Development Director Ellerman stated it is R-1-6 zone.

Council Member Turek stated there are only two lots, which are developed at this point. If Perry Homes had any objections to the zone request, they would certainly have voiced their opinion.

Council Member Turek made a motion to approve an ordinance adopting Zone Change application Z-16-07, from Service Commercial (C-2) to Multi-Family Residential (R-3) Zone, the property is located in the area of Tortoise Rock Drive and Buena Vista Boulevard. Council Member Belliston seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Nay</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

9. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

None

10. CLOSED SESSION

A. To discuss pending or potential litigation.

Removed

11. ADJOURNMENT

Council Member Belliston made a motion to adjourn the meeting. Council Member Turek seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Council Member Turek</i>	<i>Aye</i>

Meeting adjourned at 6:53 P.M.

Passed and approved this 22nd day of June, 2016.



Washington City



Kenneth F. Neilson, Mayor

Attest by:



Danice B. Bulloch, CMC
City Recorder

